

EXHIBIT 2



IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

LINDA MCKINNEY, as mother and
next friend of T [REDACTED] M [REDACTED], a minor,
Plaintiff,

vs.

PROGRESSIVE DIRECT INSURANCE
COMPANY d/b/a PROGRESSIVE; and CSAA
GENERAL INSURANCE COMPANY d/b/a
AAA INSURANCE,
Defendants.

CJT8 4154 -
Parash
Case No. **CJ-2018-4154**

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

JUL 31 2018

RICK WARREN
COURT CLERK

43 _____

PETITION

Plaintiff, for Petition against Defendants, states:

- (1) On June 26, 2017, Sierra Nichole Shannon negligently drove a 2001 Dodge Durango at high speed around a curve on North Lombard Lane, approximately 0.2 miles north of Star Mountain Road near Skiatook in Osage County and crashed into a tree while Plaintiff, T [REDACTED] M [REDACTED], was a passenger in the same vehicle.
- (2) As a result of this wreck, Plaintiff suffered bodily injury.
- (3) Defendant Progressive Direct Insurance Company d/b/a Progressive ("Progressive") issued both liability coverage in the amount of \$100,000 for bodily injury and underinsured motorist ("UM") coverage as part of policy number 62369576 with UM limits of \$100,000 each person/\$300,000 each accident.
- (4) Plaintiff's injuries exceed Progressive's liability limits for bodily injury. Plaintiff was an insured under both Progressive's and CSAA General Insurance Company d/b/a AAA Insurance's ("AAA") UM policies. AAA has UM coverage of \$250,000.
- (5) Progressive wrongfully denied Plaintiff's UM claim on August 28, 2017 and has done so in bad faith.

(6) AAA Insurance failed to pay sums due under its UM policy when it made an unreasonable offer of \$8,482.88 by letter dated April 19, 2018, on its claim number 1002-18-9382, for Plaintiff's injuries. AAA has acted in bad faith with respect to Plaintiff's UM claim.

(7) Plaintiff has suffered bodily injury; has incurred and will incur medical bills; has suffered and will suffer pain, permanent disability and disfigurement; and has suffered and will suffer diminished earning capacity. Due to Progressive's and AAA's failure to deal with Plaintiff fairly and in good faith, Plaintiff has suffered and will suffer emotional and financial distress and other losses.

WHEREFORE, Plaintiff prays judgment against Progressive in the amount of \$100,000 and an amount in excess of the amount required for diversity jurisdiction pursuant to Section 1332 of Title 28 of the United States Code for her bad faith claim. Plaintiff prays judgment against AAA in the amount of \$250,000 plus an amount in excess of the amount required for diversity jurisdiction pursuant to Section 1332 of Title 28 of the United States Code for her bad faith claim.



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ATTORNEY'S LIEN CLAIMED